

TUESDAY, JANUARY 27, 1981
FIFTEENTH ORGANIZATION DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bobby Wood of Hamilton County.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

21—Relative to date, 1981 Regular Session, 92nd General Assembly; adopted for concurrence.

Clyde W. McCullough, Jr.,
Chief Clerk.

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 21 out of order, which motion prevailed.

Senate Joint Resolution No. 21—Relative to date, 1981 Regular Session, 92nd General Assembly.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was concurred in.

A motion to reconsider was tabled.

MOTIONS

On motion of Mr. Moore, House Bill No. 59 was recalled from the Committee on State and Local Government.

On motion of Mr. Moore, House Bill No. 59 was withdrawn from the House.

Mr. Dills moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 26 from the Committee on Calendar and Rules for immediate consideration, which motion prevailed.

House Joint Resolution No. 26—Relative to honoring the American hostages.

Mr. Dills moved that House Joint Resolution No. 26 be adopted, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, USSery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

Mr. Dills moved that all members voting for the adoption of House Joint Resolution No. 26 be added as sponsors, which motion prevailed.

Mr. Martin moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 11 from the Committee on Calendar and Rules for immediate consideration, which motion prevailed.

House Joint Resolution No. 11—Relative to congratulating Dr. Nathan Ford.

Mr. Martin moved that House Joint Resolution No. 11 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill,

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Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Martin moved that all members voting for the adoption of House Joint Resolution No. 11 be added as sponsors, which motion prevailed.

Mr. McKinney moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 36 out of order, which motion prevailed.

House Joint Resolution No. 36—Relative to honoring Donald T. Cooke—By McKinney, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton, Mr. Speaker McWherter.

Mr. McKinney moved that House Joint Resolution No. 36 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 37 out of order, which motion prevailed.

House Joint Resolution No. 37—Relative to memory, Charles T. McMillan, II—By McKinney.

Under the rules, the resolution lies over.

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Mr. Speaker McWherter relinquished the Chair to Mr. Brewer Speaker pro tem.

Mr. Lashlee moved that the rules be suspended for the introduction of House Joint Resolutions Nos. 29 and 30, which motion prevailed.

House Joint Resolution No. 29—Relative to continuing joint subcommittee on handicapped education—By Lashlee.

Under the rules, the resolution lies over.

House Joint Resolution No. 30—Relative to continuing special joint committee on workers' compensation—By Lashlee.

Under the rules, the resolution lies over.

Mr. Smith moved that Rule No. 48 be suspended for the purpose of placing House Joint Resolution No. 1 on the Calendar for Thursday, January 29, 1981, which motion prevailed.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford (Cocke), Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

INTRODUCTION OF BILLS

House Bill No. 174—To levy tax, non-returnable soft drink bottles—By Pruitt.

Passed first consideration.

House Bill No. 175—To enact Racing Events Law of 1981—By Pruitt.

Passed first consideration.

House Bill No. 176—To make provisions, social security coverage—By Rhinehart.

Passed first consideration.

House Bill No. 177—To provide for review of Public Employee Retirement Plans—By Rhinehart.

Passed first consideration.

House Bill No. 178—To amend Sections 8-34-302 and 8-34-310, Code—By Rhinehart.

Passed first consideration.

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House Bill No. 179—To establish new classification, Consolidated Retirement System—By Bragg.

Passed first consideration.

House Bill No. 180—To increase the maximum for student assistance—By Bragg.

Passed first consideration.

House Bill No. 181—To change method of payments, student assistance—By Bragg.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 154—To change composition, Court of Judiciary.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 155—To provide for certain allowances, beneficiaries.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 156—To provide for allocation, gas tax.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 157—To create Greater Court of General Sessions, certain counties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 158—To provide for levy, motor vehicle privilege tax.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 159—To make certain provisions, funeral directors.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 160—To amend Title 8, Chapter 39, Code.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 161—To regulate publication, resolutions.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 162—To make certain provisions, motor vehicle privilege taxes.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 163—To set compensation, registrars-at-large.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 164—To define and set consequences, infamous crime.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 165—To make certain provisions, election laws.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 166—To enact Readable Insurance Policies Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 167—To authorize bond issue, bridge at Cockrill Bend.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 168—To enact Sentencing Act of 1981.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 169—To make certain provision, awards of public contracts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 170—To amend Title 9, Chapter 8, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 171—To set compensation, workers' accident and sickness insurances.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 172—To levy tax on lodgings, Jellico.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 173—To increase state's contribution, retirement system.

Passed second consideration and referred to Committee on Finance, Ways and Means.

LOCAL BILL REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 32.

Mr. Speaker pro tem Brewer announced that the House had completed its Organizational Session, and in accordance with Senate Joint Resolution No. 21, would meet in First Regular Session at 10:30 a.m. tomorrow.